

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b> SUBJECT PRISON PROGRAMS AND ORGANIZATIONS	EFFECTIVE DATE 05/24/2004	NUMBER 05.03.100
	SUPERSEDES 05.03.100 (01/01/02); 05.03.100 (05/01/01)	
	AUTHORITY MCL 791.203; 791.204	
	ACA STANDARDS 4-4004; 4-4107; 4-4430; 4-4486; 2-CO-5C-01; 2-CO-4F-01	
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## POLICY STATEMENT:

Prison programs and organizations may be established in Correctional Facilities Administration (CFA) institutions, as set forth in this policy.

## POLICY:

### PROGRAM DEVELOPMENT

- A. For purposes of this policy, a program is an ongoing service provided to prisoners by staff or volunteers designed to promote personal growth in prisoners and to further a specific Department need or goal. It does not include essential services such as health care or food service, or one time special events that are scheduled for prisoners for recreational, entertainment or religious purposes.
- B. Any proposals received for new programs are to be submitted to the Warden or designee for evaluation. If the Warden believes the program would be beneficial to prisoners and meets a Department need or goal, s/he shall submit the proposal to the appropriate Regional Prison Administrator (RPA) for review and approval. RPAs shall consult with the CFA Deputy Director or designee prior to approving any program which is not typical of programs routinely offered in a CFA institution. The RPA shall notify the Warden whether the proposal has been approved.
- C. If the RPA believes the proposal should be considered for statewide implementation, s/he shall submit it to the CFA Deputy Director or designee for approval. If approved, the CFA Deputy Director or designee shall notify all RPAs and Wardens of the approval.
- D. Once approved and implemented, a program may be permanently discontinued only with authorization of the Warden, with written notice to the appropriate RPA, except that a program offered statewide may be permanently discontinued only by the CFA Deputy Director.
- E. Wardens shall submit a Program Monthly Report (CAJ-377) to the CFA Special Activities Coordinator. The Program Monthly Report shall identify each program offered at the institution, the number of prisoners participating at each security level, and how often program participants meet.
- F. The CFA Special Activities Coordinator shall compile and maintain a list of programs offered at each CFA institution, specifically identifying those which were approved for statewide implementation. The CFA Special Activities Coordinator shall distribute the list to all Wardens and RPAs at least annually.
- G. Wardens shall ensure staff are aware of all approved programs available to prisoners at their respective institutions.
- H. At least annually, the Warden or designee shall identify the needs of the prisoner population, and analyze and evaluate offered programs to determine their contribution to the Department's needs and goals so that offered programs may be modified as appropriate. The Warden or designee shall document this review in writing.

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## PRISON ORGANIZATIONS

- I. For purposes of this policy, a prison organization is a chartered association of prisoners for social, educational or cultural purposes, or to promote civic duty and/or public service. A prison organization must be sponsored by a legitimate external organization (e.g., Jaycees, NAACP, Vietnam Veterans of America) and approved by the CFA Deputy Director in order to operate within an institution.
- J. Only general population prisoners in Levels I through IV shall be permitted to establish and be members of prison organizations. A prisoner may request approval to form an organization by submitting its proposed charter to the Warden or designee. The charter shall contain all of the following:
  1. The proposed organizational structure of the prison organization;
  2. The proposed bylaws and statement of purpose of the prison organization;
  3. A statement expressing a willingness to accept any eligible prisoner for membership, regardless of race, creed or nationality;
  4. The name and address of the external organization sponsoring the prison organization.
- K. After review, the Warden shall submit the charter and his/her recommendation whether the prison organization should be approved to the appropriate RPA. The RPA shall review the charter and the Warden's recommendation, and forward them to the CFA Deputy Director or designee with his/her recommendation whether the prison organization should be approved. The CFA Deputy Director or designee shall make the final determination and notify the RPA and Warden of that decision. A prison organization shall not be approved if it is believed to advocate violence, racial supremacy ethnic purity, or otherwise constitute a threat to the custody or security of the facility.
- L. The CFA Special Activities Coordinator shall maintain a current list of all approved prison organizations and shall distribute the list at least annually to RPAs and Wardens of each CFA institution with Level I, II, III or IV housing units.
- M. Prison organizations shall be permitted to conduct meetings upon written request to the Warden or designee. The Warden or designee shall determine the times and locations of the meeting. If time or space resources are limited, priority shall be given to prison organizations having the largest membership; however, all approved prison organizations requesting meetings shall be permitted to meet at least quarterly.
- N. Only general population prisoners in Levels I through IV may attend prison organization meetings. Security levels shall not be mixed except as provided in PD 05.01.140 "Prisoner Placement and Transfer". In Level IV, prison organization meetings must have in-room staff supervision at all times. In Levels I through III, the Warden shall determine the need for in-room staff supervision; however, staff must be readily available in the area when in-room staff supervision is not required. Staff providing in-room supervision shall remain in the room where the meeting is being conducted during the entire meeting. To ensure that prisoners are engaging only in conduct appropriate to the meeting, staff providing in-room supervision shall listen to and watch those in attendance.
- O. Prison organizations are prohibited from charging or receiving dues, or anything else of value, from any prisoner, including prisoners who are members of the organization or who wish to attend organization meetings. A prisoner may pay membership dues to the sponsoring external organization, subject to the approval of the Warden, but the prison organization shall not in any way influence or enforce such actions.
- P. Prison organizations are permitted to solicit and receive funds only from its sponsoring organization and, in accordance with PD 04.02.110 "Prisoner Benefit Fund", the PBF; the solicitation and receipt of funds from any other source is prohibited. Funds received from the sponsoring organization or the PBF

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may be spent only as follows, subject to the Warden's approval:

1. For special entertainment available to all general population prisoners in the facility (e.g., movie, guest speaker).
  2. To purchase items benefiting all general population prisoners in the facility (e.g., recreational equipment).
  3. To sponsor competitive events available to all general population prisoners in the facility.
  4. To contribute to a charitable organization.
  5. To purchase items benefiting the prison organization (e.g., office supplies).
  6. Other expenditures as approved by the Warden; however, under no circumstances shall funds received by the organization be used to purchase personal property for prisoners or any computer equipment. Funds received by the organization also shall not be permitted to be spent on banquets or similar special meals.
- Q. All funds collected by a prison organization pursuant to Paragraph P shall be deposited directly into an institutional account created for the organization. The account shall be created and maintained as a sub-account of the PBF. The institution's Administrative Officer shall ensure the proper handling of cash, sales records and receipts, and the reconciling and depositing of all funds. Funds remaining in the account of an organization or group which has not had a member for at least one year shall be placed in the PBF and the account closed. The Department and its employees are not responsible for the unpaid bills of a prison organization.
- R. Prison organizations shall be required to submit quarterly reports regarding the organization to the Warden or designee. The quarterly reports shall include a current roster of prisoner members and a summary of activities and all funds received.
- S. If a prison organization, or a prisoner acting on behalf of the organization, violates this policy, the prison organization's approval to operate may be revoked. In all such cases, the Warden shall submit his/her recommendation whether the approval should be revoked, along with all supporting documentation, to the appropriate RPA for review. The RPA shall forward the documentation along with his/her recommendation to the CFA Deputy Director for a final determination. The CFA Deputy Director shall ensure that the RPA and Warden are notified of that decision.

#### OPERATING PROCEDURE

- T. Wardens shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

#### AUDIT ELEMENTS

- U. A Primary Audit Elements List has been developed and will be provided to Wardens to assist with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

PLC:OPH:4/28/04